

April 25, 1996

OFFICE OF THE HEARING EXAMINER  
KING COUNTY, WASHINGTON  
700 Central Building  
810 Third Avenue  
Seattle, Washington 98104

REPORT AND DECISION.

SUBJECT: Department of Development and Environmental Services File No. **L96RU002**

**N. JAMES DAM**  
Application for Reasonable Use Exception  
from KCC 21A.24 (Sensitive Areas Code)

Property located at southwest corner of Cedarhurst Road and 107th Way SE on Vashon Island

Applicant's Address: 7936 Seward Park Avenue South, Seattle, WA 98118

SUMMARY OF RECOMMENDATIONS:

Division's Preliminary:	Approve, subject to conditions
Division's Final:	Approve, subject to conditions
Examiner:	Approve, subject to conditions

PRELIMINARY REPORT:

The Land Use Services Division's Preliminary Report on Item No. L96RU002 was received by the Examiner on April 8, 1996.

PUBLIC HEARING:

After reviewing the Land Use Services Division's Report and examining available information on file with the application, the Examiner conducted a public hearing on the subject as follows:

The hearing on Item No. L96RU002 was opened by the Examiner at 1:30 p.m., April 22, 1996, in Hearing Room No. 2, Department of Development and Environmental Services, 3600 - 136th Place S.E., Suite A, Bellevue, Washington, and closed at 1:50 p.m. Participants at the public hearing and the exhibits offered and entered are listed in the attached minutes. A verbatim recording of the hearing is available in the Office of the King County Hearing Examiner.

FINDINGS, CONCLUSIONS & DECISION: Having reviewed the record in this matter, the Examiner adopts and incorporates herein by this reference the Findings, Conclusions and Recommendation made by the Land Use Services Division as set forth in its Preliminary Report to the King County Hearing Examiner for the April 22, 1996 public hearing, which is Exhibit No. "1" in the record of this hearing.

ORDERED this 25th day of April, 1996.

\_\_\_\_\_  
James N. O'Connor  
King County Hearing Examiner

TRANSMITTED this 25th day of April, 1996, to the following parties and interested persons:

Andrew Bonner  
10670 SW Cedarhurst Road  
Vashon, WA 98070

James Dam  
7936 Seward Park Avenue South  
Seattle, WA 98118

Jon Thomas  
PO Box 1848  
Vashon, WA 98070-1848

Nancy Brown, DDES/Land Use Services Division  
Steve Bottheim, DDES/Land Use Services Division  
Don Gauthier, DDES, Building Services Division  
Lisa Pringle, DDES/Land Use Services Division  
Karen Scharer, DDES/Land Use Services Division  
Larry West, DDES/Land Use Services Division

Pursuant to Chapter 20.24, King County Code, the King County Council has directed that the Examiner make the final decision on behalf of the County regarding applications for reasonable use exceptions to the Sensitive Areas Ordinance (KCC 21A.24). The Examiner's decision shall be final and conclusive unless a person with standing commences a proceeding for review pursuant to the Land Use Petition Act by filing a petition in the Superior Court for King County and serving all necessary parties within twenty-one (21) days of the issuance of the Examiner's decision. (The Land Use Petition Act defines the date on which a land use decision is issued by the Hearing Examiner as three days after a written decision is mailed.)

MINUTES OF THE APRIL 22, 1996 PUBLIC HEARING ON DEPARTMENT OF DEVELOPMENT  
AND ENVIRONMENTAL SERVICES FILE NO. L96RU002 - DAM:

James N. O'Connor was the Hearing Examiner in this matter. Participating in the hearing were Karen Scharer, representing the Department, and Jon Thomas, representing the applicant.

The following exhibits were offered and entered into the record:

Exhibit No. 1	Department of Development and Environmental Services Preliminary Report to the King County Hearing Examiner for the April 22, 1996 public hearing
Exhibit No. 2	Application, received January 31, 1996
Exhibit No. 3	Criteria for Approval, received January 31, 1996
Exhibit No. 4	Certificate of Water Availability, received January 31, 1996
Exhibit No. 5	Assessor Map, STR 18-23-3, received January 31, 1996
Exhibit No. 6	Site plan
Exhibit No. 7	Septic design
Exhibit No. 8	500' Radius Notice, March 26, 1996
Exhibit No. 9	Affidavit of Posting, property posted March 21, 1996
Exhibit No. 10	Geotech Report by Geospectrum Consultants Inc., January 18, 1996
Exhibit No. 11	Level I Drainage Analysis, dated January 23, 1996
Exhibit No. 12	Geotech Report by Geospectrum, dated January 12, 1996
Exhibit No. 13	Letter to LUSD from Andrew Bonner

JNOC:gb  
\\misc\cases\l96ru002.rpt